Application No. 10/070,173
Amdt. Dated October 28, 2003
Reply to Office Action of October 1, 2003
Docket No. 0502-1002

REMARKS

Responsive to the requirement for restriction, applicant elects Group I, claims 1-10 and 13, drawn to a method of treating copper sulphide containing ore, with traverse.

It is believed that the requirement cannot properly be repeated, for the following reasons:

- 1. New claim 14 is a linking claim, drawn to the device but coextensive in scope with claim 1.
- 2. The method of claim 1 cannot be practiced without the device of claim 14.
- 3. The device of claim 14 cannot practice a method other than that of claim 1.
- 4. There is accordingly not even one-way distinctness, much less two-way distinctness.

In view of the above, therefore, it is believed that it is in order to enter an action on the merits of all the claims now in the case, and such action is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

Application No. 10/070,173
Amdt. Dated October 28, 2003
Reply to Office Action of October 1, 2003
Docket No. 0502-1002

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

Robert J. Patch, Reg. No. 17,355

745 South 23rd Street

Arlington, VA 22202

Telephone (703) 521-2297 Telefax (703) 685-0573

(703) 979-4709

RJP/mjr